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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,012	06/18/2001	Roger Gustavsson	262/204	4613

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EXAMINER	
IQBAL, KHAWAR	
ART UNIT	**PAPER NUMBER**
2686	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/884,012	GUSTAVSSON ET AL.	
	Examiner	Art Unit	
	Khawar Iqbal	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 09 May 2005.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 64-78 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 64-78 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 73-78 are rejected under 35 U.S.C. 102(e) as being unpatentable by Smith (20050130639).

3. Regarding **claim 73** Smith teaches a mobile switching center in a communication network comprising a call control function for establishing calls with a mobile terminal, said call control operative to (para. # 0005,0027): receive a do not disturb instruction from a mobile station (para. # 0005); refrain from completing calls for selected incoming communications responsive to said do not disturb instruction form said mobile station (para. # 0005, 0027).

Regarding **claims 74,77** Smith teaches wherein the selected incoming calls included incoming voice or data calls (para. # 0005).

Regarding **claims 75,78** Smith teaches wherein the call control function is further operative to forward incompleted voice calls to a voice mailbox (para. # 0005).

Regarding **claim 76** Smith teaches a method of reducing signaling overhead in a multi-service network, the method comprising (para. # 0005):

receiving a do not disturb instruction from a mobile station (para. # 0005,0027); refraining from completing calls for selected incoming communications responsive to said do not disturb instruction from said mobile station (para. # 0005,0027).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 64-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haartsen (5870673) and further in view of Ahmad et al (20020082029) and Smith (20050130639).

Regarding **claims 64-67** Haartsen teaches a terminal for wireless communication, comprising (figs. 1,7-9):

a transceiver configured to selectively tune to a carrier of a multi-service network or to a carrier of a best-effort network (col. 13, lines 60-67, col.15, lines 26-50); and

a processor configured to: tune the transceiver to the multi-service network, register with the multi-service network (col.15, lines 26-50, col. 13, 56-67), register the terminal with the best-effort network. Haartsen also teaches a mobile terminal in range of a private communications network typically preferably enters a private mode attaching to the private communications network to enjoy benefits such as lower tariffs,

longer talk and stand-by time, and better voice quality. Haartsen does not specifically teach registering the terminal with the best-effort network.

In an analogous art, Ahmad et al teaches registering the terminal with the best-effort network (page 2 para. # 0022-0033). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Haartsen communicate through the Internet with an IP device, such as an IP Router, which IP device is part of a data packet network. Haartsen and Ahmad et al do not specifically teach instruct the multi-service network to refrain from completing calls for selected incoming communications if the do not disturb function is activated. Haartsen also teaches the mobile terminal may **deregister** from the wide area cellular network when it establishes access to a private radio communications network and only periodically wake up from its lower power sleep mode to monitor for incoming calls on both the wide area cellular network and the private radio communications network (col. 4, lines 40-65).

In an analogous art, Smith teaches instruct the multi-service network to refrain from completing calls for selected incoming communications if the do not disturb function is activated (para. # 0005,0027). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Haartsen and Ahmad et al by specifically adding features do not disturb function is activated in order to enhance when inactive, a "do not disturb" condition is implemented for the mobility device, and all incoming calls to the mobility device will be routed directly to voice mail as taught by Smith.

Regarding **claims 68--72** Haartsen teaches a method of wireless communication employing a terminal configured for tuning to either a carrier of a best-effort network or a carrier of a multi-service network, the method comprising (figs. 1,7-9):

registering the terminal with the multi-service network (col.15, lines 26-50);

tuning the terminal to the best-effort carrier (col.15, lines 26-50, col. 13, 56-67).

Haartsen also teaches a mobile terminal in range of a private communications network typically preferably enters a private mode attaching to the private communications network to enjoy benefits such as lower tariffs, longer talk and stand-by time, and better voice quality. Haartsen does not specifically teach registering the terminal with the best-effort network.

In an analogous art, Ahmad et al teaches registering the terminal with the best-effort network (page 2 para. # 0022-0033). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Haartsen communicate through the Internet with an IP device, such as an IP Router, which IP device is part of a data packet network. Haartsen and Ahmad et al do not specifically teach instruct the multi-service network to refrain from completing calls for selected incoming communications if the do not disturb function is activated. Haartsen also teaches the mobile terminal may **deregister** from the wide area cellular network when it establishes access to a private radio communications network and only periodically wake up from its lower power sleep mode to monitor for incoming calls

on both the wide area cellular network and the private radio communications network (col. 4, lines 40-65).

In an analogous art, Smith teaches instruct the multi-service network to refrain from completing calls for selected incoming communications if the do not disturb function is activated (para. # 0005,0027). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Haartsen and Ahmad et al by specifically adding features do not disturb function is activated in order to enhance when inactive, a "do not disturb" condition is implemented for the mobility device and all incoming calls to the mobility device will be routed directly to voice mail as taught by Smith.

Response to Arguments

6. Applicant's arguments with respect to claims 64-78 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone

number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

Marsha D Banks-Harold

MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
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